

**REMARKS**

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-9 have been canceled without prejudice or disclaimer of the subject matter contained therein. Claim 17 has been added. Thus, claims 10-17 are pending in the present application, of which claims 10 and 14-17 are independent.

**Noted - Priority Document Received By USPTO**

The indication (see the Office Action Summary mailed September 18, 2008, box 12(a)(1) are checked) that the certified copy(ies) of the priority document(s) has been received by the USPTO is noted with appreciation.

**Information Disclosure Statements**

The indication (see attachment to the Office Action mailed September 18, 2008) that the Information Disclosure Statements as filed on December 24, 2003 and April 6, 2005 and references listed therein have been considered is noted with appreciation.

Consideration of the Information Disclosure Statement filed on September 19, 2009 following the issuance of the present Office Action is hereby respectfully requested.

**Noted - Drawings Approved**

The indication (see the present Office Action Summary, box 10(a) are checked) that the Drawings (submitted on December 24, 2003) have been approved is noted with appreciation.

**Claim Rejection Under 35 U.S.C. §102**

Claims 10-16 are rejected under 35 U.S.C. §102(e) as being anticipated by Wang (US Pub.No. 2003/0009537).

**INDEPENDENT CLAIM 10**

As an example, independent claim 10 recites (among other things) a feature of:

*an access control unit that allocates an access request to either one of a first access not passing through the second information processing apparatus to the first storing unit and a second access passing through the second information processing apparatus to the first storing unit, according to power mode of the second information processing apparatus.*

As will be explained below, at least this feature of claim 10 is a distinction over Wang.

The Wang reference states:

*A typical 1394 network comprises interconnected devices such as a collection of appliances including server devices offering one or more services to be controlled (e.g., DVCR 100 as an MPEG video recording and replay service), and client device offering a user interface (UI) service (e.g., DTV 102) for controlling the server devices. (paragraph [0083])*

However, Wang does not disclose a storing unit having two access routes, where one does not pass through an information processing apparatus, and the other passes through the information processing apparatus. Moreover, Wang is silent on allocating an access request according to power mode of the information processing apparatus. Hence, at least the noted feature, namely:

*an access control unit that allocates an access request to either one of a first access not passing through the second information processing apparatus to the first storing unit and a second access passing through the second information*

*processing apparatus to the first storing unit, according to power mode of the second information processing apparatus,*  
is a distinction over Wang.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. In view of the distinction of claim 10 noted above, at least one claimed element is not present in Wang. Hence, Wang does not anticipate claim 10.

Claims 11 and 13 ultimately depend from claim 10, respectively, and so at least similarly distinguish over Wang. Hence, Wang also does not anticipate claims 11 and 13.

#### **INDEPENDENT CLAIM 14**

As an example, independent claim 14 recites (among other things) a feature of:

*an access control unit that allocates an access request to either one of a first access not passing through the information processor to the storing unit and a second access passing through the information processor to the storing unit based on the connection switched by the switching unit.*

As will be explained below, at least this feature of claim 14 is a distinction over Wang.

The Wang reference states:

*A typical 1394 network comprises interconnected devices such as a collection of appliances including server devices offering one or more services to be controlled (e.g., DVCR 100 as an MPEG video recording and replay service), and client device offering a user interface (UI) service (e.g., DTV 102) for controlling the server devices. (paragraph [0083])*

However, Wang does not disclose a storing unit having two access routes, where one does not pass through an information processing apparatus, and the other passes through the information processing apparatus. For example, DVCR 110

has only one access route not passing through any information processing apparatus, and DVCR 120 also has only one access route passing through PROXY 116 (see FIG.2 of Wang). Hence, at least the noted feature, namely:

*an access control unit that allocates an access request to either one of a first access not passing through the information processor to the storing unit and a second access passing through the information processor to the storing unit based on the connection switched by the switching unit,*

is a distinction over Wang.

By failing to show each and every element of claim 14 as arranged in the claim, Wang fails to anticipate claim 14.

### **INDEPENDENT CLAIMS 15 AND 16**

As an example, independent claim 14 recites (among other things) a feature of:

*allocating an access request to either one of a first access not passing through the second information processing apparatus to the first storing unit and a second access passing through the second information processing apparatus to the first storing unit, according to power mode of the second information processing apparatus.*

As will be explained below, at least this feature of claim 14 is a distinction over Wang.

The Wang reference states:

*A typical 1394 network comprises interconnected devices such as a collection of appliances including server devices offering one or more services to be controlled (e.g., DVCR 100 as an MPEG video recording and replay service), and client device offering a user interface (UI) service (e.g., DTV 102) for controlling the server devices. (paragraph [0083])*

However, Wang does not disclose a storing unit having two access routes, where one does not pass through an information processing apparatus, and the other

passes through the information processing apparatus. Moreover, Wang is silent on allocating an access request according to power mode of the information processing apparatus. Hence, at least the noted feature, namely:

*allocating an access request to either one of a first access not passing through the second information processing apparatus to the first storing unit and a second access passing through the second information processing apparatus to the first storing unit, according to power mode of the second information processing apparatus,*

is a distinction over Wang.

By failing to show each and every element of claims 15 and 16 as arranged in the claim, Wang fails to anticipate claims 15 and 16.

### **NEW CLAIM 17**

Again, new claim 17 has been added. Distinguishing features of claims 10, 14, 15, and 16 have been noted above. As for new claim 17 not argued above, the following comments are provided.

As an example, independent claim 17 recites (among other things) a feature of:

*an access control unit that allocates an access request to either one of a first access to the first storing unit and a second access passing through the second information processing apparatus to the second storing unit, according to idle capacity of the first storing unit.*

As will be explained below, at least this feature of claim 17 is a distinction over Wang.

The Wang reference states:

*A typical 1394 network comprises interconnected devices such as a collection of appliances including server devices offering one or more services to be controlled (e.g., DVCR 100 as an MPEG video recording and replay service), and client device offering a user interface (UI) service (e.g., DTV 102) for controlling the server devices. (paragraph*

[0083])

However, Wang is silent on allocating an access request according to idle capacity of a storing unit. Hence, at least the noted feature, namely:

*an access control unit that allocates an access request to either one of a first access to the first storing unit and a second access passing through the second information processing apparatus to the second storing unit, according to idle capacity of the first storing unit,*

is a distinction over Wang.

By failing to show each and every element of claim 17 as arranged in the claim, Wang fails to anticipate claim 17. Claim 12 depends from claim 17, and so at least similarly distinguishes over Wang. Hence, Wang also does not anticipate claim 12.

In view of the foregoing discussion, the rejection of claims 10-16 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

### **Conclusion**

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

**PATENT**

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Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

Respectfully submitted,

Dated: December 1, 2009

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